

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
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FOI/PA# 1350127-0

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~~SECRET~~ - AIR COURIER

11
66-9643
Date: April 5, 1952
To: Legal Attache
Havana, Cuba
From: John Edgar Hoover, Director
Federal Bureau of Investigation
Subject: BERNARD LEON BARKER, JR.
SPECIAL INQUIRY
DEPARTMENT OF STATE

RECORDED - 66-9643
EX-991
There are attached photostatic copies of Department of State documents concerning the citizenship case of Bernard Leon Barker, Jr., who is presently employed by the Cuban National Police, Havana, Cuba. As can be noted here, the question has arisen as to whether Barker had forfeited his American citizenship by seeking employment and/or taking an oath of office with the National Police of Cuba. As can be further noted from the attached material, there are two conflicting statements both made by police officials, either presently associated with, or formerly associated with the National Police; one claiming that only citizens of Cuba are employed, and the other stating that aliens are on numerous occasions employed. There is also attached a copy of a certificate supplying identifying data concerning Barker.

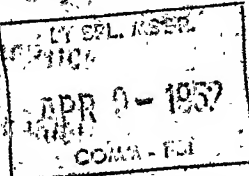
The Department of State has made an inquiry of the Bureau to determine from an appropriate authority of the National Police of Cuba the true facts in the case of the employment of Barker. Mrs. Ruth B. Shipley, Chief, Passport Division, is very much interested in the outcome of this case and desires to have the

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Mohr _____
Tele. Rm. _____
Nease _____
Gandy _____

Enclosures (5)

RRR:lu

cc - Foreign Service Desk (Detached)



64 APR 30 1952

authenticity of the matter checked before passing judgment upon the matter of loss of citizenship. The Department of State desires that an authentic statement be obtained from an appropriate authority of the National Police correctly and fully setting forth the facts in the case of Barker. The Department of State also desires that this case not be mentioned or discussed with the Embassy, as the action requested of the Bureau is over and above that previously taken by the Passport Office at the Embassy.

A search of the Bureau's records failed to reveal any identifiable data concerning Barker.

In compliance with the Department of State inquiry, you are requested to make appropriate, discreet inquiry of appropriate authorities in the National Police and obtain if possible a statement from them regarding the employment of Barker. This statement should particularly relate to the matter of whether he, as an American alien, could be employed without losing his status as an American citizen or whether he must of necessity take an oath of allegiance to the Cuban Government.

This matter should be handled expeditiously and discreetly and under no circumstances should a representative of the Embassy be informed of the request received from the Department of State.

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Mohr _____
Tele. Rm. _____
Nease _____
Gandy _____

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. D. M. LADD

DATE: April 4, 1952

FROM : A. H. Belmont

b6
b7CSUBJECT: BERNARD LEON BARKER, JR.
SPECIAL INQUIRY
DEPARTMENT OF STATE*Bernardo Leon Barker Jr.*

_____	Wilson
_____	Ladd
_____	Clegg
_____	Glavin
_____	Nichols
_____	Rosen
_____	Tracy
_____	Harbo
_____	Belmont
_____	Mohr
_____	Tele. Room
_____	Nease
_____	Gandy

There are attached copies of Department of State documents concerning the alleged expatriation of Bernard L. Barker, Jr., who was an American citizen residing in Havana, Cuba, and employed by the National Police of Cuba.

Mrs. Ruth B. Shipley, Chief, Passport Division, Department of State, contacted Mr. Roach and supplied the attached material with the request that the Bureau's representative in Havana make appropriate inquiry with his contacts in the National Police in Havana to determine whether under Cuban law and police regulations Barker must have renounced his American citizenship before obtaining employment with that organization. Mrs. Shipley stated that she desired to have the Bureau check this matter for her as a personal favor as she states that the information she has received from the American Embassy in Havana is rather confusing and does not believe it reflects the true facts in this case.

The attached documents reflect that Barker has been employed by the National Police of Cuba in Havana. One statement from a police official reflects that the National Police employ only Cuban citizens, while another document executed by an ex-Chief of the Judiciary Police of Cuba reflects that the police on numerous occasions hired aliens to do certain types of work and if this be the case, Barker would not have forfeited his American citizenship although employed by the National Police. There is also attached a copy of a certificate which allegedly shows the loss of American citizenship of Barker.

In a copy of a letter from Barker to an attorney in Havana, a copy of which is attached, Barker relates that he worked very closely as a member of the National Police with _____ the FBI. He also relates that in his work with the Cuban Police Department he worked on behalf of American interests.

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b7C

A search of the Bureau's records failed to reveal any identifiable data concerning Barker.

Attachments (6)

RRR:lw

RECORDED - 66
SE 38
INDEXED - 66

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 01-26-2010 BY 60322 UC LP/PLJ/LCW

62-96936-1
Roach

67-369375

As you know, Mrs. Shipley has been very helpful in handling matters of interest to the Bureau and as a matter of reciprocity, she desires that the Bureau's Legal Attache in Havana be requested to make appropriate inquiry at the National Police in Havana to determine whether, in fact, that department employs aliens as in the case of Barker, or whether it was necessary for Barker to renounce his American citizenship in order to obtain employment. Mrs. Shipley is desirous of having a statement from a competent member of the National Police on the question of whether aliens are employed, as in the case of Barker. Mrs. Shipley stated that she had a very personal interest in this case and would appreciate if the Bureau could be of assistance.

RECOMMENDATION:

In view of the very cooperative attitude that Mrs. Shipley has shown in matters of interest to the Bureau, it is suggested that we comply with her request and issue appropriate instructions to the Legal Attache in Havana to check on the matter in question. There is attached a proposed letter to the Legal Attache, which will be forwarded subject to your approval.

Mrs. Shipley

March 12, 1952

Mr. White

Citizenship case of Bernard Leon Barker

With reference to the comments of Mario Lazo concerning the case of Bernard Leon Barker, Jr.; I do not see how, upon the basis of the present record, we can disregard the certificate of the loss of the nationality of the United States which has been prepared in Mr. Barker's case under the provisions of Section 401(d) of the Nationality Act of 1940. You will note that the Embassy at Habana, prior to preparing the certificate, obtained a statement from the Headquarters of the Cuban National Police that under the laws of Cuba only Cuban nationals could occupy the post which Barker held. It is possible that the Cuban Foreign Office might have a different view on this matter. If Mr. Barker can establish through appropriate official channels that the position which he held with the Cuban Police Department was not one for which only Cuban nationals were eligible and that Cuban law permitted an exception to be made we would of course be pleased to give further consideration to his case. The statement which Mr. Lazo has submitted from Alfonso Luis Fors, ex-Chief of the Judiciary Police of Cuba and now apparently a private citizen, would not in my opinion suffice for this purpose.

LAZO Y CUBAS

OFICIOS 110

HABANA

Extra Copy

Ref. 12/9277

February 27, 1944.

Mrs. Ruth Shipley
Chief of Passport Division
Department of State
Washington, D. C.

Re: Capt. Bernard L. Barker, Jr.
Altered expatriation under
Section 401 (d) of Chapter IV
of Nationality Act of 1940.

Dear Mrs. Shipley:

I write regarding the very appealing case of Captain Barker which I discussed with you in Washington on September 28th last, - the case of a solid American citizen who has a really superlative war record and who was expatriated as a consequence of holding a position which permitted him to render exceedingly valuable services to the United States Government.

When you kindly afforded me the opportunity personally to discuss the case with you in Washington, you suggested that I submit the matter formally, mentioning that you might want to obtain Mr. Adrian Fischer's opinion with respect to it. You took the time to read the

rather lengthy communications which I now enclose, the first being a letter addressed to me by Captain Barker on September 22nd last, and the second a certificate issued by a former Chief of the Cuban Judicial Police. Your first impression when we talked was favorable to Captain Barker. You felt that perhaps the provisions governing expatriation had been too rigidly applied in his case. You were also kind enough to mention that in these "hardship cases" it is also sometimes possible to obtain a Congressional law restoring citizenship.

By way of introduction to Mr. Fischer, since he will naturally have to rely to some extent on my statement of the case, I am also enclosing a list of our principal American clients. In recent years the firm which I founded and of which I am the senior partner has done considerable work for various Departments and Agencies of your Government, including the Department of Justice, CIA, REC, the War Department and the State Department.

It would be impossible for anyone to review the circumstances of this case without feeling great

sympathy for Captain Barker. By inheritance and on his own record he has always been the finest type of citizen of the United States, - a great credit to his country. A man of modest means, thirty-four years of age, with an excellent personality, he was working effectively with the Cuban Police and with American FBI agents in anti-communist and anti-espionage activities at the time he is alleged to have expatriated himself. During World War II he received a number of decorations and citations as a member of the American Air Force. Whatever legal technicality may be involved, all of the merits are on Captain Barker's side.

1) Captain Barker was born in Havana, but of American parents. His father is dead, but his mother and a married sister reside in Bloomingburg, N.Y. The day her son went overseas in World War II the mother took a war job in a B-27 airplane factory, to which she devoted her best efforts until the day Captain Barker returned from Europe. One of Barker's brothers served in a U. S. Armed Division. A cousin was killed in an air raid over Wilhelmshaven in which Barker himself parti-

cipated. Three other cousins served in the U. S. Army. All the remaining members of this fine family are patriotic Americans of excellent standing.

Captain Barker graduated from the Farmingdale High School on Long Island, worked in Maryland at the Bethlehem Steel plant, and later studied Civil Engineering at the University of Havana. After World War II he married a Cuban lady, who wishes to become an American citizen but has been unable to do so as yet because of lack of residence requirements. They have one child, a girl, born in 1947 at the U. S. Military Base at Vernam Field, in Jamaica. This daughter is registered as an American citizen at the Havana Embassy.

2) When the Japanese attacked Pearl Harbor, Barker dropped his studies and was the first American in Cuba to volunteer for military service. Entering the U. S. Army in March 1942 as a Private, he was eventually honorably discharged as a Captain of the Air Force. In the meantime he was shot down over Germany on his twelfth mission, was wounded and was a prisoner of war for sixteen months. He made three attempts to escape. During this

period he lost sixty pounds in weight. Among his various decorations and citations are the Purple Heart and the Air Medal with One Oak Leaf Cluster. On January 11, 1944 two American planes out of seven returned from a battle over Germany, and the crews, which included Barker, received a Presidential Citation. He holds the ETO Ribbon with Two Battle Stars, the ATO Ribbon, Good Conduct Ribbon, and was awarded the Victory Medal. He wore six overseas stripes and one wound stripe. When the Korean campaign started, Barker was again the first American in Cuba to offer his services to the U. S. Air Force, in which he holds a commission as Captain.

3) The circumstance which provoked Captain Barker's expatriation consisted of services which he and other non-Cubans rendered to the Cuban Police Force exclusively in connection with cases in which the U. S. Government was greatly interested. To my personal knowledge there were also a number of others of non-Cuban nationality, including twelve Spaniards, who rendered services to the Cuban Police Force. Because of his American background, however, Captain Barker specialized

on matters which were of special interest to the U. S. Government. His services had been enlisted by the Chief of the Cuban Police because of his known loyalty to the United States and because he was bilingual. For instance, he was placed in charge of a group of twelve plainclothes men whom he himself picked to guard Mrs. Truman and Margaret Truman when they visited Havana in 1960. He also guarded one of President Truman's Secretaries, and several U. S. Generals, when they visited Havana. He never wore the Cuban Police uniform. He took no oath of allegiance to Cuba, and of course never renounced his allegiance to the United States. He worked intimately with the American FBI on jobs for which he was particularly fitted because of his American nationality, such as an alleged violation of the U. S. Postal laws. On one occasion he apprehended a criminal who was wanted for smuggling drugs into the United States. On another occasion he apprehended a member of the Lucky Luciano gang who was also wanted in the United States for criminal activities. On still another occasion he rescued two United States sailors whose lives were being threatened

by a Cuban mob. He compiled data on the Communist Party in Cuba and helped prepare the basic communist files of the Cuban Bureau of Investigations. At all times he worked intimately with the American Embassy. These activities lasted over a period of a little less than one year.

4) This case was brought to my attention informally by a member of the U. S. Embassy staff in Havana. It was explained to me confidentially that the report on expatriation was made to the State Department by a youthful Vice-Consul in September 1950 who, because of his exclusively military training, was perhaps overly meticulous in reporting the case. He did not take the attenuating circumstances into account. He felt it was his duty rigidly to conform to the governing regulations as he interpreted them. Barker was popular and highly regarded at the Embassy, however, and his expatriation aroused some resentment there. I was then informally asked to help him.

5) As I read Section 50.4 of the Regulations governing the Nationality Act of 1940, it seems to me that the officer who reported Captain Barker's activities

was under the obligation to make a sincere effort to obtain an affidavit from Barker and that if this was "not possible", he then had the obligation to exercise real care in setting forth his statements. The fact is that although this Embassy officer knew Barker's address, and although the Embassy had his telephone number, which was listed with his address in the Havana telephone book, there is no indication that any effort whatsoever was made to communicate with Barker until the notice of expatriation was mailed to him at his regular listed address on January 23, 1951.

6) Finally I should like to explain that Alfonso Fors, who executes the enclosed affidavit and who is the founder and head of the leading private investigation agency in Cuba, is very highly regarded here. You will observe that Mr. Fors, a former Chief of our Judicial Police, makes the specific statement that the Cuban Police has, on many occasions, employed persons who are not citizens of the Republic of Cuba.

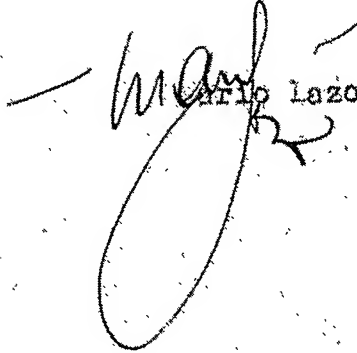
I am serving Captain Barker without charge but I should be glad to visit Washington in his behalf

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if you consider it advisable that I do so.

Thanking you for your courtesy, and with
kindest personal regards, I am

Sincerely,


Mario Lazo

Encl.



DIRECTOR:
ALFONSO L. FORS

AGENCIA INFORMATIVA
FORS

OF CUBA:
BACARDI, 407 Y 408
CABLE Y TELEGRAFOS, ALFORS
TELEFONO: 4-4396



ALFONSO LUIS FORS Y REYES, EX-CHIEF OF THE JUDICIARY POLICE OF THE REPUBLIC OF CUBA, AND DIRECTOR-PROPRIETOR OF "AGENCIA INFORMATIVA FORS", WITH CENTRAL OFFICE IN THE BACARDI BUILDING, APARTMENTS NUMBERS FOUR HUNDRED AND SEVEN AND FOUR HUNDRED AND EIGHT, HAVANA, CUBA,

MAKES IT KNOWN: That I know Mister Bernardo León Barker y Terry, a son of Bernardo and of Alicia, at present thirty four years old, and who in nineteen hundred and forty five married a lady that I have known since her birth, named [REDACTED] [REDACTED] with whom he had a daughter, who now is four years old, named [REDACTED] [REDACTED] who was born in the Air Base of Vernam Field, Jamaica, when Mister Barker was an Officer of the Army of the United States of America and a citizen of the same country. The information that I have on Mister Barker -who I always regarded as an honest man of good conduct- is that as a member of the Air Forces of the United States of America, he rendered services in the European front, and was made a war prisoner, returning to North America after the Victory, and remaining in the American Army until the middle of nineteen hundred and forty six, when he was honorably discharged. After that he came to Cuba and was dedicated to various commercial acti-

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(OVER)



DIRECTOR.
ALFONSO L. FORS

AGENCIA INFORMATIVA
FORS

-2-

OFICINAS:
BACARDI, 407 Y 408
CABLE Y TELEGRAFO: ALFORS
TELEFONO: H-9395



vities, until the time in nineteen hundred and forty eight, when being an American citizen, he accepted a post in the Cuban National Police, to give services in matters related to American citizens and interests of the United States of America, according to his knowledge of languages and his relations, remaining in that special post until about a year ago. The peculiar nature of these services and the fact that knowledge of foreign languages is essential, as the services included anti-spionage and anti-comunistic work, has made it necessary, on many occasions, that the Cuban National Police employ persons who, like Mister Barker, are not citizens of the Republic of Cuba.

AND IN ORDER THAT MISTER BERNARDO LEON BARKER Y TERRY MAY MAKE VALID THIS DOCUMENT WHERE CONVENIENT, I ISSUE IT IN HAVANA, CUBA, ON SEPTEMBER NINETEENTH NINETEEN HUNDRED AND FIFTY ONE.

AGENCIA INFORMATIVA FORS
SALIDA
Fecha 19 OCT 1951

REPUBLICA DE CUBA
MINISTERIO DE DEFENSA NACIONAL
POLICIA NACIONAL

S.P.y O.
Rgtro.No.5280-950.

EMBASSY OF THE UNITED STATES
OF AMERICA

SEP 27 1950

HABANA

Jefatura de la Policía Nacional,
"Departamento de Dirección",
La Habana, 25 Sep. 1950.-

Sr. Paul J. Reveley,
Cónsul General Americano,
Embajada Americana,
Ciudad.-

Señor:-

De orden del General de Brigada, Quirino Uría López, M.M. N. y P., Inspector General del Ejército, Jefe de la Policía Nacional, en relación con su escrito de fecha 14 del actual, le informo que visto el expediente personal de baja número 19926, correspondiente al ex-Sargento de Primera Categoría BERNARD LEON BARKER Y TERRY, que perteneció a la División Central de la Policía Nacional, aparece que el mismo ingresó en esta Institución, el día 26 de Octubre de 1948 y causó baja con fecha 5 de Octubre de 1949; y que visto el Certificado de Inscripción de Nacimiento que obra en el propio expediente, aparece que el interesado es natural de Cuba, La Habana, siendo requisito indispensable de acuerdo con los preceptos legales que rigen la materia, ser ciudadano cubano para ocupar el cargo de referencia.-

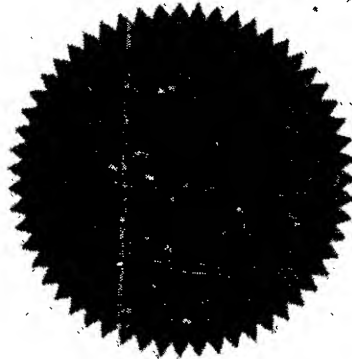
De usted respetuosamente,

J.M. Rego, M.M. y P.,
Teniente Coronel del Ejército,
JEFE DEL DEPARTAMENTO DE DIRECCION, P.O.S.-

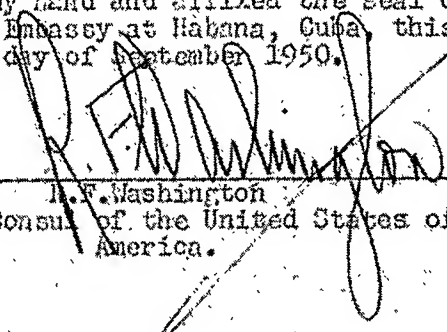


Republic of Cuba }
City and Province of Habana } SS:
United States Embassy }

I, the undersigned, R.F. Washington, Vice Consul of the United States of America at Habana, Republic of Cuba, duly commissioned and qualified, do hereby certify that the within document bears the true seal and signature of Lieutenant Colonel, J.M. Rego, Chief of the Direction Department of the National Police of the Republic of Cuba, under the Ministry of Defense of the Republic of Cuba.



IN TESTIMONY WHEREOF I have hereunto set my hand and affixed the seal of this Embassy at Habana, Cuba, this 27th day of September 1950.


R.F. Washington
Vice Consul of the United States of America.

FEE NIL.- OFFICIAL

DEPARTMENT OF STATE
DEC 15 1950
(Date)
For the
Secretary of State
R. B. Shiley
Chief, Passport Division
By *C. O. Buler*

CERTIFICATE OF THE LOSS OF THE NATIONALITY OF THE UNITED STATES

(This form has been prescribed by the Secretary of State pursuant to Section 501 of the Act of October 14, 1940, 54 Stat. 161.)

Consulate Embassy of the United States of

America at Habana, Cuba

88:

I, William D. Craig, hereby certify that, to the best of my knowledge and belief,

Bernard Leon BARKER, Jr. was born at Habana, Habana
(Town or city) (Province or county)

Cuba, on March 17, 1917;
(State or country) (Date)

That he resides at Loma 89, Marianao, Habana, Cuba;
(Street) (City) (State)

That he last resided in the United States at unknown. He was in the United
States Air Force from March 23, 1942 to July 8, 1947.
(State) (City)

That he left the United States on unknown;
(Precise date should be given)

That he acquired the nationality of the United States by virtue of his birth in Cuba
(If a national by birth)
of an American father. His father, Bernard Leon Barker, was born
in the United States, so state; if naturalized, give the name and place of the court in the United States before which naturalization was granted
at Columbia, Tenn., January 2, 1890.
and the date of such naturalization)

That he has expatriated himself under the provisions of Section 401(d) of Chapter IV of the
Nationality Act of 1940 by accepting or performing the duties of an office,
post or employment under the Government of Cuba, a foreign state,
for which only nationals of Cuba are eligible.
(State the cause for expatriation should be set forth succinctly)

That the evidence of such action consists of the following: Certificate of J. M. Rego,
Lieutenant Colonel of the Army, Chief of Headquarters Department,
Headquarters of the National Police, dated September 25, 1950, certify-
ing that Bernard Leon Barker y Terry was a member of the Central Division
of the National Police from October 26, 1948 to October 5, 1949, and that
in order to occupy that post he had to be a Cuban citizen. (See attached)

In testimony whereof, I have hereunto subscribed my name and affixed my office seal this 27th
day of September, 1950.
(Month)

-(SEAL)-

William D. Craig
William D. Craig

Vice Consul of the United States of America
(Title of office)

(OVER)

16-41180-2

Republic of Cuba
Ministry of National Defense
National Police

S. P. y O:
Registry No. 5280-950

Headquarters of the National Police
Headquarters Division
Habana, September 25, 1950

Mr. Paul J. Reveley,
American Consul General,
American Embassy,
City.

Sir:

By order of Brigadier General Quirino Uria Lopez, M. M. N. and P., Inspector General of the Army, Chief of the National Police, and with reference to your letter of the 14th of this month, I inform you that after examination of the personal dossier of resignation No. 19926 corresponding to ex-Sergeant First Class Bernard Leon BARKER y Terry, who belonged to the Central Division of the National Police, it appears that he entered this Organization on October 26, 1948 and that he resigned on October 5, 1949, and that after examination of the birth certificate attached to the aforementioned dossier, it appears that the interested party (Barker) is a native of Habana, Cuba, it being an indispensable requisite of the pertinent laws to be a Cuban citizen in order to occupy the post under reference.

Respectfully yours,

s/s J. M. REGO

J. M. Rego, M. M. y P.,
Lieutenant Colonel of the Army,
Chief of the Headquarters Department, P. O. S.

Rubber Seal of
the Headquarters
Department of the
National Police

I, William D. Craig, a competent translator, do certify that I have a perfect knowledge of both the Spanish and English languages, and that the above translation is a true translation from the Spanish language into the English language to the best of my knowledge and belief.

SUBSCRIBED AND SWORN TO BEFORE ME
THIS 28th DAY OF September A. D. 1950
AT HABANA, CUBA

William D. Craig
William D. Craig

[Signature]
F. WASHINGTON
VICE CONSUL OF THE UNITED STATES
OF AMERICA

Bernard L. Barker
Loma 89, Marianao
Habana, Cuba.

Sept. 22nd. 1951.

Dr. Mario Hazo,
Bufete Lazo y Cuban.
Oficios 110
Habana, Cuba.

Dear Sir:

The other day I read a letter which General Carl Spaatz wrote you in 1948 to thank you for successfully defending a member of the Air Force of the U. S. against false homicide charges. From that letter it is clear that the man was in serious trouble, and also that you made no charge for the wonderful service you gave him. From the conversations I have had with you, I am sure you realize that I am also now in very serious trouble myself. I need your help. Nothing could be more important to me than to get my problem settled. My situation is just as serious to me as was the problem faced by the man whom General Spaatz wrote you about.

The writer is a World War II Veteran, Captain Bernard L. Barker, O-747944, formerly of the U. S. Air Forces.

The first I knew about any trouble was when I received, by ordinary mail, a notification from the American Embassy that I was no longer a citizen of the United States.

At the Embassy they said it was final. I could not at the time understand how anyone could be deprived of his citizenship without being given a chance to explain or fight such an action. You see, Sir, I have given my blood for my country and exposed my life for it. My American citizenship is not just my birthright, but something which I have earned my right to. It was a severe shock, as you can understand, and I can not help but be indignant because of the way they are trying to deprive me of it.

It would have been easy for members of the Embassy to have called me in at the time, as my phone and address are in the Directory. I was a frequent visitor at the Embassy, to see the employees there who signed me up as the first American volunteer on the Monday following Pearl Harbor, and who wrote me while I was a Prisoner of War in Germany.

The reason given for my loss of citizenship was that I joined the Cuban Police Department. I will explain to you my relation to the Department.

At the time President Prío took office, he appointed Coronel Caramés Chief of the Cuban Police. The Coronel called in a number of World War II Veterans (U.S. citizens) to do special jobs in the Department. Most of the work I did was related with Americans. Records of this are at the Embassy. I worked on the Parko narcotic and the Conway (sweepstakes) cases, in cooperation with [redacted] of the F.B.I. In cooperation with the U. S. Treasury Department, I caught a

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member of the Lucky Luciano gang. Records of this case are with Mr. Dillon at the Embassy. At the time of the unfortunate incident of the sailors and the Statue of Martí, another veteran and myself were personally commended by the U. S. Naval Attache for saving the lives of two American sailors. Our reports on this incident are records of the court martial of these sailors. In cooperation with a group of Spanish citizens, who also were associated with the Cuban Police Department, under a Spaniard by the name of Aubí, I helped compile the data on the Communist Party in Cuba, which is today the basis of the file of the Cuban Bureau of Investigation. But the assignment of which I am most proud, Dr. Lazo, was when I was assigned to protect Mrs. Truman and Miss Margaret Truman during their visit to Cuba. From the time they left the Presidential Yacht until their return, through stores and to the Country Club and Palace, a personally handpicked group of twelve plainclothesmen under my command, guarded them. You can well understand the pride which will always be mine for this responsibility and the duty performed.

As you know, Dr. Lazo, I am a man of very modest means. I have a wife and a daughter to support, and because of family responsibilities, I must, for a certain period of time, live in Cuba. I do not know how I can solve this problem of my citizenship, but if I will, if I have to borrow money from friends or mortgage myself.

My work with the Cuban Police Department provided me with an opportunity to be of service to the United States. I can say honestly that I have served my country in that Department, as much as I did when I bombed Germany, when I was stationed in England.

No doubt there is a technicality involved. I realize it now. Perhaps there are rules in the Cuban Police Department which state that only Cuban Nationals are allowed to perform services, but in practice that is not true. There are many instances of other Americans who have been employed and even during the time I worked with the Police Department, there were other Americans working there and there were also numerous other non-cubans.

You will recall that I took several of these people to your office, to prove that this situation not only existed in the past but that it actually exists today.

American citizens who have lived most of their lives outside of the United States and conserve their citizenships are perhaps more conscious of what it means to be an American than those who have spent their lives in the United States, who take their citizenship rights for granted.

I refer you again to my 201 file which is held at Mitchell Field. It contains the documentary proof of my military record. During the war I served my country to the best of my ability. I flew twelve missions over Germany, I starved in a Prisoner of War camp. I was decorated twice with the Air Medal (Oak Leaf Cluster), received a Unit Citation from President Roosevelt, and it says that I am a credit to myself and reflect great credit to my country. I have been decorated with the Purple Heart for wounds received in action. I was Honorably Discharged as a Captain of the Air Corps.

At the outbreak of the Korean War, I volunteered to return to active duty, through the Air Attache's office at the American Embassy, and filled out the form for overseas duty in my capacity as Bombardier.

I am willing to comply with all my moral and legal obligations to my country, as it takes more than a piece of paper from Washington to tell me that I am not an American citizen.

I appeal to you to help me in any way you can to fight this piece of paper. In the event that my citizenship cannot be returned, I will continue my allegiance and devotion to my country just the same, because no other nationality will ever be acceptable to me.

Sincerely yours,

Bernard L. Barker
Bernard L. Barker.

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI

FROM : Legal Attache, Havana, Cuba (64-194)

DATE: April 22, 1952
Havana, Cuba

b6
b7C

SUBJECT: BERNARD LEON BARKER, JR.
SPECIAL INQUIRY
DEPARTMENT OF STATE

BERNARD LEON BARKER *TERRY*

Rebulet April 5, 1952 requesting inquiry be made of appropriate authorities in the National Police and from them obtain information regarding the employment of BARKER.

Due to certain conditions in existence at the present time, it was not deemed advisable to request a written statement; however, there is attached a blind memorandum containing translations of certain pertinent portions of laws and regulations pertaining to the National Police as well as the results of an interview with Lt. Col. HERNANDO HERNANDEZ HERNANDEZ, Inspector General of the Cuban National Police and a long time friend of the Bureau and of this office. This blind memorandum attached is submitted with the thought in mind that it may suffice to answer Mrs. SHIPLEY's question concerning the conditions under which BARKER was employed in the National Police.

For the Bureau's information, the balance of this memorandum is to advise of our acquaintance and contacts with subject BARKER and is not intended for further dissemination in this present form.

BARKER first came to the writer's attention in March 1948. BARKER had been in to consult with Mr. GEORGE VARRELMAN of the Commercial Section of the American Embassy about a personal problem and he was introduced to the writer by VARRELMAN.

BARKER's problem at that time was that he had invested around \$6,000.00 with an American by the name of BRYANT HARYZELL MAYNARD of Miami, Florida, for a share in the organization and operation of a doughnut manufacturing company. It developed that MAYNARD's checks in payment of amounts due to BARKER were sent back marked insufficient funds. BARKER filed an action in Havana courts and also complained to the Embassy Commercial Section and in turn on March 24, 1948 made known the substance of his problems to the writer.

This was not a problem which the Embassy could solve nor was there any angle in this case whereby we could help BARKER. We did sympathize with him due to the fact he explained that the money he lost in the investment was money he had saved as a prisoner of war in Germany for 16 months plus \$2,000.00 of his terminal leave pay.

Enclosure

WCS:JES

SE 46

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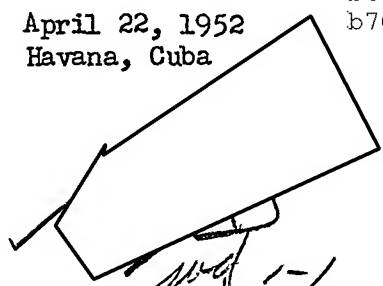
62-96936
MAY 12 1952

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DATE 01-26-2010 BY 60322 UC LP/PLJ/LCW

EXPEDITE PROCESSING.

MAY 1 1952

Original of blind memorandum with enclosure given to Mrs. Shipley, Dept of State 5/5/52



File *Boach*

To: Director, FBI

Subject: BERNARD LEON BARKER, JR.
SPECIAL INQUIRY
DEPARTMENT OF STATE

April 22, 1952
Havana, Cuba

This matter was discussed informally by the writer with Agents of the Cuban Bureau of Investigations, and apparently BARKER was later in contact with them. I was never informed as to how BARKER finally made out in this case.

Since this first meeting with BARKER in March 1948 the writer contacted BARKER now and then with the idea in mind of utilizing him as a source of information. In the course of these contacts BARKER told me that he was born in Cuba to an American citizen father and a Cuban citizen mother. He also told me briefly about his enlistment in the U. S. Armed Forces and that he rose to the rank of Captain and was a bombardier in the U. S. Air Forces and that he had spent several months as a prisoner of war in Germany.

On the morning of October 21, 1948 BARKER called on me to advise that he was a member of the Cuban Veterans of the World War II (U. S. Forces) and that this organization was well connected with Cuba's new President, CARLOS PRIO SOCARRAS, and that the Veterans' organization was to be given certain posts in the new government.

BARKER informed me at this time that he is the only member of this Veterans' group that held the rank of Captain in the United States Army. He said because of this he was to be selected for an appointment in the Cuban National Police as a Lieutenant or better. BARKER wanted to know if he accepted this position whether or not he would jeopardize his United States citizenship. BARKER was informed if any citizen accepts a position with a foreign government he thereby risks forfeiture of his U. S. citizenship.

BARKER stated that one of the last things he wanted to do was to lose his U. S. citizenship, but that due to his economic position he would probably go ahead and accept any position offered to him in the Cuban National Police. He said in the event he did become associated with the Cuban National Police that we could consider him as a completely trustworthy informant inside that organization.

The information about the 10-21-48 visit with BARKER was recorded in a memo for our files (64-0-136B).

On 10-25-48 BARKER stopped in to say that he had just called on the new Police Chief CARAMES and said he thought it looked like his appointment to the police would go through.

To: Director, FBI

April 22, 1952
Havana, Cuba

Subject: BERNARD LEON BARKER, JR.
SPECIAL INQUIRY
DEPARTMENT OF STATE

In the course of these conversations with BARKER I told him that I had discussed his citizenship problem with Foreign Service officer ALONSO STANFORD assigned to the Citizenship desk of this Embassy. In the discussion with Consul STANFORD, BARKER's name was not mentioned, the situation being discussed hypothetically.

I recall that on at least two occasions I informed BARKER that the officer in Citizenship had informed me that if an American citizen accepts a position with the Cuban government which only can be filled by Cuban citizens that such American citizen forfeits his claim to U. S. citizenship. I am not informed as to whether or not BARKER ever did consult with anyone on the Embassy staff about his problem.

A few days later BARKER came in to say that he had been appointed as a Vigilante (Patrolman) in the Cuban National Police and that he was assigned on a special plainclothes squad maintained by the Chief in the National Police Headquarters. A short time later he had been promoted to Sergeant and we got the impression from BARKER and from headquarters officers that BARKER was more or less the head of this special squad of investigators that operated out of the Chief's office.

Right after BARKER was appointed to his position in the Cuban National Police he assured the writer that he (BARKER) wanted to be considered by us as a confidential source inside the Cuban Police organization and also that it was his desire to be ready to cooperate with us one hundred per cent at all times. He was told we appreciated his friendship and offers of cooperation.

BARKER did cooperate with us from time to time during the period he was with the Cuban National Police (10-26-48 to 10-5-49) on several occasions on matters of minor importance. He was not an indispensable contact and his assistance was not particularly valuable.

After BARKER's resignation from the Cuban National Police he continued to call at our offices from time to time. It is my recollection that sometime about the First of 1951 BARKER came in and announced that he had received a letter from the American Consul advising him that he had lost his United States citizenship. He was very depressed. He later told me that he had been informed by the Consul General that Vice Consul WILLIAM CRAIG had prepared a document dated 9-27-50 in which he sets out facts within his (Vice Consul WILLIAM CRAIG's) knowledge by which BARKER had expatriated himself. After learning this BARKER was very bitter in his expressed opinion of the American Embassy and of Consul WILLIAM CRAIG in particular.

To: Director, FBI

Subject: BERNARD LEON BARKER, JR.
SPECIAL INQUIRY
DEPARTMENT OF STATE

April 22, 1952
Havana, Cuba

It may have been that BARKER and CRAIG had had a disagreement at some time in the recent past and CRAIG with knowledge of BARKER's background, citizenship and employment, might have felt it was necessary to prepare the expatriation document. At any rate, Mr. PAUL J. REVELEY, the Consul General at Havana, has voluntarily indicated to me that he is of the opinion that Vice Consul CRAIG was a bit hasty in his action and that he should at least have given BARKER a chance to come in and talk over the matter prior to his preparation of the expatriation document. Consul General REVELEY said that he is personally sympathetic to BARKER, but now that the expatriation document is a matter of record, BARKER would have to take special steps to regain his U. S. citizenship.

The above mentioned information from Consul General REVELEY came from him in casual conversations at about the time BARKER first heard of his being expatriated.

On the occasion of the calls from BARKER after his expatriation I reminded him that I cautioned him of the possible consequences of his act in accepting a position with the Cuban National Police. He was also informed that I had had nothing to do with the preparation of the expatriation document.

BARKER said at this time that he felt that he had not lost his citizenship by taking the job with the police because he did not take an oath of allegiance to Cuba. This is incorrect for you will note on the attached blind memorandum that it is a requirement for entrance into the Cuban National Police that the applicant be a Cuban citizen. Also as mentioned in the blind memorandum, Lt. Colonel HERNANDO HERNANDEZ HERNANDEZ, Inspector General of the Cuban National Police, made available to SA CLARK D. ANDERSON the personnel file of BERNARDO LEON BARKER y TERRY. This file reflected that BARKER entered the Cuban National Police on October 26, 1948, as a Vigilante (Patrolman) No. 1868. The file contains two oath forms, one for the National Police and one for the Military Reserve, identical in language with the attached sample forms. Both of these oath forms were signed by BARKER on October 26, 1948.

I informed BARKER that I was personally very sympathetic with him in his citizenship predicament but that I was not in a position where I could aid or counsel him in his campaign to regain his citizenship. I did suggest to him that he discuss his problem with the AIR ATTACHE of this Embassy. He later told me that he had talked over this matter with Col. E. E. GLENN, the then AIR ATTACHE. Colonel GLENN later informed me that he thought an injustice had been done and that he hoped to find some way of helping BARKER regain his U. S. citizenship.

To: Director, FBI

Subject: BERNARD LEON BARKER, JR.
SPECIAL INQUIRY
DEPARTMENT OF STATE

April 22, 1952
Havana, Cuba

Sometime later, and it is our belief that it was early in the summer of 1951, Dr. MARIO LAZO (a personal friend of Col. GLENN), a very prominent lawyer in Havana of the law firm LAZO y CUBAS, told Special Agent CLARK D. ANDERSON of this office that he had been approached by BARKER to handle his appeal to regain his U. S. citizenship.

Dr. LAZO has subsequently informed Mr. ANDERSON and the writer that he is personally handling the BARKER case because he feels that BARKER has been badly treated in this instance. We have received the impression that Dr. LAZO is handling this matter without fee.

A short time ago Agent ANDERSON and the writer were informed by Dr. LAZO, in a very casual manner, that he had been discussing BARKER's case with U. S. Government officials in Washington, D. C. and that he believed the only solution to BARKER's desire to regain his U. S. citizenship was for someone in the U. S. Congress to introduce a bill to that effect. Dr. LAZO said that he had written a detailed letter to Mrs. SHIPLEY of the U. S. Department of State Passport Division (at her request) and that she had more or less promised him that she would look for someone to present the necessary bill in Congress to restore U. S. citizenship to BARKER.

A copy of Dr. LAZO's letter of 2-27-52 to Mrs. RUTH SHIPLEY re Capt. BERNARD L. BARKER, Jr., Alleged Expatriation Under Section 401 (d) of Chapter IV of Nationality Act of 1940, which was furnished with reference letter, sets out in enthusiastic words some rather expansive statements about how much BARKER cooperated or collaborated with "the American FBI on jobs for which he was particularly fitted because of his American nationality." the incidents of BARKER's cooperation are generally correct but with Sr LAZO appearing to over-emphasize these incidents in his letter.

As we have mentioned elsewhere in this memorandum, BARKER was a contact of this office and he did help us out on some matters of minor importance on several occasions.

BARKER is an affable and friendly sort of person and completely American in his language and actions. We continue to maintain contact with BARKER from time to time, and as mentioned earlier, I am sympathetic with BARKER in his citizenship problem and I have so told him.

In summary the BARKER citizenship problem is outlined as follows:

To: Director, FBI

April 22, 1952
Havana, Cuba

Subject: BERNARD LEON BARKER, JR.
SPECIAL INQUIRY
DEPARTMENT OF STATE

1. BERNARD LEON BARKER, aka. Bernardo Leon Barker y Terry, was born at Havana, Cuba 3-17-17 to an American citizen father and a Cuban citizen mother and therefore has proper claims for either USA citizenship or Cuban citizenship.
2. BARKER fulfilled a U. S. citizen's obligations by serving as a volunteer - U. S. Air Force - where he held the rank of Captain (Bombardier) and was held a prisoner of war by Germany for about 16 months.
3. BARKER first contacted Legal Attache, Havana, 3-24-48, on a personal matter.
4. October 21, 1948 BARKER informed writer he had a chance for appointment to a position in the Cuban National Police. BARKER was advised at this time that if he took the job he would risk loss of U. S. citizenship.
5. BARKER entered Cuban National Police 10-26-48 in position only open to Cuban nationals. He left his position 10-5-49.
6. BARKER was the subject of a Certificate of The Loss of the Nationality of the United States dated 9-27-50 and executed by Vice Consul WILLIAM D. CRAIG of the Citizenship Unit of the American Embassy at Havana, Cuba. In this it is set out that BARKER has expatriated himself by accepting or performing the duties of an office post or employment under the Government of Cuba, a Foreign State, for which only nationals of Cuba are eligible.
7. When BARKER heard later on about his being expatriated he took up his citizenship problem with the U. S. Air Attache, American Embassy, Havana, who in turn apparently interested a prominent Cuban Attorney, Dr. MARIO LAZO, in BARKER's case to regain his U. S. citizenship.
8. LAZO has advised that the only solution appearing to him is for someone in the U. S. Congress to introduce a bill to restore U. S. citizenship to BARKER. LAZO has stated that he has been assured by Mrs. RUTH SHIPLEY, Chief, Passport Division, U. S. Department of State, that she will look for someone in Congress who would be interested in sponsoring such a bill.

MEMORANDUM

RE: BERNARD LEON BARKER, JR.,
aka, Bernardo Leon Barker y Terry

The Organic Law of the National Police of The Republic of Cuba was promulgated in Law Decree No. 623, dated March 3, 1936. Chapter VIII of this Organic Law is titled "De Los Ingresos en el Cuerpo de la Policia Nacional" ("Of the Entrances in the Corps of the National Police"). The translation of the pertinent portion of Article 38 of this Chapter reads as follows:

"Article 38. - For entrance in the Corps of the National Police, it is required:

- a) To be a Cuban citizen, preferring those who may have belonged to the Armed Forces."

Six other requirements are listed in Article 38 but they are not quoted inasmuch as they do not appear pertinent. None of them makes any exception to the requirement of Cuban citizenship quoted above.

On April 15, 1942, President FULGENCIO BATISTA signed Decree No. 2127 and this Decree was subsequently published in the Official Gazette in a special edition dated August 4, 1942. This decree is titled "General Regulations for the Corps of the National Police" and it is stated in the enacting clause that the decree is drawn up in accordance with the provisions contained in the above mentioned Organic Law of 1936 which provided for Regulations to implement the Organic Law.

Chapter XV of the Regulations bears the same title as Chapter VIII of the Organic Law. Article 958, part (a) of Chapter XV of the regulations, as published on Page 110 of the referenced Official Gazette, is identical in language with Article 38, part (a) of Chapter VIII of the Organic Law, translation of which is set forth above. It provides that Cuban citizenship is a prerequisite to entrance in the National Police.

Article 959, Chapter XV of the Regulations, also published on Page 110 of the same Official Gazette, is translated below:

"Article 959. - Every individual, on entering the Corps of the National Police, will make and sign an oath on the corresponding form."

Enclosures

67-98751-1
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ENCLOSURE

On 4-18-52 Lt. Col. HERNANDO HERNANDEZ HERNANDEZ, Inspector General of the Cuban National Police, advised that there have been cases in the past where individuals with citizenship other than Cuban were named as members of the National Police, due to close friendship or political ties which these individuals had with whatever person who happened to be the Chief of the National Police at the time. He said that administrative regulations require that within 15 days of his entrance into the police, the new policeman must present a copy of his birth certificate and that non-citizens usually stall on presenting this during the entire time they are on the police force and are able to get away with this stalling due to friendship with the Chief.

He said that all new policemen are required to sign an oath in which among other things, they swear they are Cuban citizens and they swear to defend the Republic (of Cuba) and its Constitution against all foreign enemies and those within the country. He also said that at the time a new policeman is employed, the latter usually joins the Military Reserve and he signs a similar oath in this connection. Lt. Col. HERNANDEZ made available sample copies of these two forms containing the oath and they are attached.

Lt. Col. HERNANDEZ made available for examination the National Police personnel file of BERNARDO LEON PARKER y TERRY. This file reflected that BARKER entered the Cuban National Police on October 26, 1948, as Vigilante (Patrolman) No. 1868. The file contains two oath forms, one for the National Police and one for the Military Reserve, identical in language with the attached sample forms. Both of these oath forms were signed by BARKER on October 26, 1948. The file also contains a copy of BARKER's birth certificate which states he was born on March 17, 1917 at Havana, Cuba to an American citizen father and a Cuban citizen mother.

The file reflects that BARKER resigned from the National Police on October 5, 1949. His rank at the time of resignation was that of Sergeant.

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI

FROM : Legal Attache, Havana, Cuba

SUBJECT: BERNARD LEON BARKER, JR.
SPECIAL INQUIRY
DEPARTMENT OF STATE

DATE: April 6, 1954
Havana, Cuba

b6
b7C

Rebulet April 5, 1952, which requested certain investigation of BARKER by this office. The request for investigation had been made by Mrs. RUTH B. SHIPLEY, Chief of the Passport Division, U. S. Department of State. Havana reply was dated April 22, 1952.

Since then BARKER has informed us that he has traveled to Washington and there discussed his case in detail with Mrs. SHIPLEY. He said that she had appeared sympathetic and was interested in his case.

The developments to date are that BARKER, via his Cuban lawyer, Dr. MARIO LAZO, well and favorably known to the American Embassy at Havana, Cuba, has arranged for the introduction of a bill in Congress for relief of BARKER. This house bill is quoted as follows:

"83d CONGRESS
2d Session

H. R. 8349

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DATE 01-26-2010 BY 60322 UC LP/PLJ/LCW

IN THE HOUSE OF REPRESENTATIVES

March 10, 1954

Mr. Williams of New Jersey introduced the following bill;
which was referred to the Committee on the Judiciary

A BILL

For the relief of Bernard L. Barker.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 That Bernard L. Barker, who lost United States citizenship
- 4 under the provisions of section 401 (b) and (d) of the
- 5 Nationality Act of 1940, as amended, may be naturalized by
- 6 taking, prior to one year after the effective date of this Act,
- 7 before any court referred to in subsection (a) of section 310

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5 5 APR 23 1954

WCS:JES

INDEXED - 21

12

APR 10 1954

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62-96936-3

FIVE

Liaison

To: Director, FBI

Subject: BERNARD LEON BARKER, JR.
SPECIAL INQUIRY
DEPARTMENT OF STATE

April 6, 1954
Havana, Cuba

8 of the Immigration and Nationality Act or before any diplo-
9 matic or consular officer of the United States, the oaths pre-
10 scribed by section 337 of the said Act. From and after
11 naturalization under the Act, the said Bernard L. Barker
12 shall have the same citizenship status as that which existed
13 immediately prior to its loss."

- - -

Consul THOMAS DICKSON, Citizenship Unit, American Embassy, in reply to a request from BARKER advised that the references in the above quoted bill are correct. He said that the section (b) refers to the taking of an oath of allegiance to a Foreign state, and the section (d) is relative to the acceptance of an office of a Foreign state for which office only nationals of such state are eligible.

This is being furnished for the Bureau's information.

Federal Bureau of Investigation
Records Branch

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, 1959

☐ Name Searching Unit - Room 6527☐ Service Unit - Room 6524☐ Forward to File Review☐ Attention ☒ Return to

Supervisor

Room

Ext.

b6

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Type of References Requested:

☐ Regular Request (Analytical Search)☒ All References (Subversive & Nonsubversive)☐ Subversive References Only☐ Nonsubversive References Only☐ Main _____ References Only

Type of Search Requested:

☐ Restricted to Locality of _____☒ Exact Name Only (On the Nose)☐ Buildup☐ Variations

Subject

Bernard Leon Barker

Birthdate & Place _____

Address _____

Localities _____

R# _____

Date

1-20-60

Searcher

Initials

CBM

Prod. _____

FILE NUMBER

SERIAL

*MF 62-96936 I**Bernard L.**L 105-82352-1**Bernard**N1 7-7096*

~~SECRET~~

REC-3

4 Office Memorandum • UNITED STATES GOVERNMENT

RECEIVED
JAN 25 1960
TO SIP
CIATO : J. Edgar Hoover, Director
Federal Bureau of Investigation

DATE: January 22, 1960

FROM : R. C. Haberstroh, Chief Intelligence Officer
Immigration and Naturalization ServiceSUBJECT: PROJECT ZENITH: SP-299, Bernard L. Barker

for you

The above alien, whose inspection was deferred under the immigration laws, was paroled into the United States at Miami, Florida on January 18, 1960, via special United States Air Force plane.

b6
b7cVIA LIAISON

101 XE

REC-3

11 JAN 27 1960

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62-96936-5

BY LIAISON

CIA HAS NO OBJECTION TO
DECLASSIFICATION AND/OR
RELEASE OF CIA INFORMATION
IN THIS DOCUMENT. GMB 9/22/15

① Yellow
2-Orig & 1
1-Belmont
1-Sullivan
1-Donahoe
1-Liaison Section
1-Papich

Date: October 25, 1961
To: Director
Central Intelligence Agency
Attention: Director of Security
From: John Edgar Hoover, Director

Subject: **BERNARD LEON BARKER**

Reference is made to the request of
Mr. Harry Murphy of your office concerning a relation-
ship which allegedly existed between Barker and the
Federal Bureau of Investigation.

For your information, this Bureau's Legal
Attache in Havana, Cuba, did have occasional contacts
with Barker during the period October 26, 1948, to
October 5, 1949, when Barker was connected with the
Cuban National Police.

Barker furnished assistance on some matters
of minor importance on several occasions. He was never
under the control of the FBI and at no time was employed
in any capacity by this Bureau.

1 - Foreign Liaison Unit (detached)

NOTE:

See memorandum L'Allier to Sullivan
captioned "BERNARD LEON BARKER" SJP:sap:bs

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DATE 8/22/15 BY SP6BSCD/GCL
(JFK)

Tolson _____
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Tele. Room _____
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SJP:sap (9)

SA: _____	10/23/61
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SEE REVERSE SIDE FOR
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MAIL ROOM ☐ TELETYPE UNIT ☐

OPTIONAL FORM NO. 10
5010-103

UNITED STATES GOVERNMENT

~~SECRET~~

Rec'd 5/25/62
gmt

Memorandum

TO : Director
Federal Bureau of Investigation

DATE: May 23, 1962

FROM : C. G. McCarthy, Acting Chief Intelligence Officer
Immigration and Naturalization Service

SUBJECT: PROJECT ZENITH: Bernard Leon BARKER y. TERRY

Attention: [REDACTED]

The subject departed from the United States and subsequently returned in possession of an immigrant visa. He is therefore no longer considered to be under the Project Zenith Program.

RE [REDACTED]

VIA LIAISON

17 MAY 28 1962

57 JUN 8 1962

~~SECRET~~

105-86020

Helms Says Barker Fired for Gambling

United Press International

The Central Intelligence Agency fired convicted water-gate burglar Bernard L. Barker in the mid-1960s because he was involved with "gambling and criminal elements," according to former CIA director Richard Helms.

Barker is the man who worked for E. Howard Hunt Jr. during the Bay of Pigs invasion of Cuba. In the spring of 1971 he recruited, at Hunt's request, the burglary team that broke into the Los Angeles office of Daniel Ellsberg's psychiatrist and subsequently was caught in the 1972 Watergate break-in.

Barker and five others were indicted Thursday for allegedly conspiring to violate the civil rights of Dr. Lewis Fielding, Ellsberg's psychiatrist. He has served a year in all after pleading guilty in the June, 1972, break-in of Democratic National Committee headquarters at the Watergate complex.

Helms' testimony, given to the Senate Foreign Relations Committee behind closed doors on Feb. 7, 1973, was made public yesterday. The hearings were held on the nomination of Helms to be Ambassador to Iran.

Barker's attorney, Daniel F. Schultz, promptly denied Helms' description of why Barker was terminated by the CIA.

"Mr. Helms' testimony is inconsistent with official information we have received from the CIA. It is categorically denied by Mr. Barker and is simply not true," Schultz said.

Helms' statement on Barker appeared to conflict with Barker's account of his relations with the CIA given in sworn testimony before the Senate Watergate committee May 24, 1973, 3½ months after Helms testified at the Foreign Relations Committee.

Helms told the committee about Barker:

"During the Bay of Pigs he was one of the Cuban derivatives who was involved in that operation and it is my recollection that all lines with him on the part of the agency were eliminated some time in the middle '60s.

Barker, testifying to the Watergate committee, said he

left the CIA immediately after the end of the Bay of Pigs operation in April, 1961, and had no further connection with it until Hunt approached him 10 years later to set up the burglary team.

CIA spokesmen said it would be "difficult" to find out exactly when Barker left the agency or the circumstances.

Helms Tells of Using Top U.S. Businessmen

Reuter

Richard Helms, former director of the Central Intelligence Agency, has told senators he had a policy of going right to the top of American business firms in trying to get their cooperation in gathering intelligence overseas.

Helms now is ambassador to Iran. During a closed-door hearing on his ambassadorial nomination, before the Senate Foreign Relations Committee in February, 1973, Helms said the CIA did not press businessmen or others to pass on potentially useful information they may have obtained while visiting the Soviet Union or other countries.

"There is no payment of money. There is no effort to twist anyone's arm. We simply are giving them an opportunity as patriotic Americans to say what they know about this."

Answering questions about contacts with American business firms abroad under CIA's Domestic Contact Service, he said: "It has been my own feeling that one should start with the chief executive officer normally because it is not fair to these companies to set up a relationship with somebody down the line that the chief executive officer does not know about or at least has not indicated that this other man is your point of contact."

An estimated 200 persons are operating as intelligence agents under the guise of businessmen, according to recent American press reports quoting an unnamed American official who apparently is familiar with the inner workings of the CIA.

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Assoc. Dir. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Dir. Sec'y _____

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62-96936-17

MAR 13 1974

The Washington Post
Times Herald

The Evening Star (Washington) _____
The Sunday Star (Washington) _____
Daily News (New York) _____
Sunday News (New York) _____
New York Post _____
The New York Times _____
The Daily World _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____

Date 3/11/74

105 100/100

1 - Mr. E. S. Miller
1 - Mr. R. E. Gebhardt
1 - Mr. J. A. Mintz

b6
b7c

The Attorney General

August 23, 1973

Director, FBI

1 - Mr. F. S. Putman

(Attention:)

1 - Mr. V. H. Nasca

JAMES WALTER MC CORD, JR., AND OTHERS
INTERCEPTION OF COMMUNICATIONS

Attached are a copy of a letter dated August 13, 1973, received from Daniel E. Schultz of Schultz and Overby, Washington, D. C., which firm is representing Bernard L. Barker, Eugenio Martinez, Frank A. Sturgis and Virgilio Gonzalez who are subjects in the captioned matter and a copy of our reply dated August 23, 1973.

Schultz in his letter requests that the files of this Bureau be searched for documentation, if it exists, of the past activities of his clients.

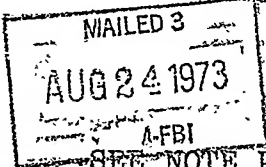
With reference to data sought by Schultz, FBI Headquarters files contain following:

FRANK A. STURGIS

Sturgis was involved in pro-Castro activities in the United States in 1953. After Castro's takeover of the Cuban Government in January, 1959, he accepted positions in the Castro regime. In June, 1959, he defected from the Castro regime; has since been periodically involved in militant and illegal anti-Castro activities in the United States; and is considered a soldier of fortune.

On March 31, 1963, Sturgis appeared at FBI Headquarters and advised he was a Captain in the Cuban Rebel Army. He stated he was on a confidential mission for the head of the Cuban Air Force who was concerned with the growing menace of communism in the Cuban Government.

VHN:emj
(10)



SEE NOTE PAGE THREE

62-96936
62-96939

NOT RECORDED

167 AUG 30 1973

MAIL ROOM ☐

TELETYPE UNIT ☐

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Press Off. _____
Telephone Rm. _____
Director Sec'y _____

53 AUG 31 1973

REC 25 139-4089-2582

VHC 54

5 AUG 27 1973

ORIGINAL FILED IN 139-4089-2582

The Attorney General

He furnished information concerning members and leaders of the Cuban Government alleged to be communists or communist sympathizers and plans for potential revolutions in Caribbean countries. He requested aid in fighting communism in Cuba and offered his services as an "agent" for the United States Government in fighting communist infiltration of the Cuban Government. Due to the unofficial nature of the approach (it was unknown to Castro) and the unstable Cuban situation, no commitment was made to Sturgis for future cooperation. The pertinent data furnished by him was disseminated to the interested agencies on April 7, 1959.

O
BERNARD L. BARKER

Our Legal Attache in Havana, Cuba, had occasional contacts with Barker during the period October 26, 1948, to October 5, 1949, when Barker was connected with the Cuban National Police. Barker furnished assistance on some matters of minor importance but was never under FBI control.

Our files indicate that the Central Intelligence Agency may have information in its files relating to the Cuban activities of Barker.

No information pertinent to Schultz' request was located in our files with respect to Eugenio Martinez and Virgilio Gonzalez.

This is for your information. Special Prosecutor Archibald Cox is being separately advised.

Considerable information concerning Sturgis' involvement in militant and illegal pro-and anti-Castro activities has previously been furnished to the Department.

Enclosures - 2

- 1 - The Deputy Attorney General (Enclosures - 2)
- 1 - Assistant Attorney General (Enclosures - 2)
Criminal Division

The Attorney General

NOTE:

See memorandum F. S. Putman to Mr. E. S. Miller, dated 8/22/73, captioned "James Walter Mc Cord, Jr., And Others, Interception of Communications," prepared by VHN:emj.

1 - Mr. E. S. Miller
1 - Mr. R. E. Gebhardt
1 - Mr. J. A. Mintz

Mr. Archibald Cox
Special Prosecutor

Director, FBI

August 23, 1973

BY COURIER SERVICE

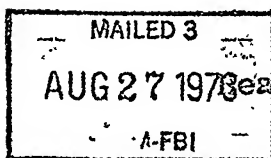
1 - Mr. F. S. Putman
(Attention:)
1 - Mr. V. H. Nasca

b6
b7C

JAMES WALTER MC CORD, JR., AND OTHERS
INTERCEPTION OF COMMUNICATIONS

Attached is a copy of a letter dated August 13, 1973, received from Daniel E. Schultz of Schultz and Overby, Washington, D. C., which firm is representing Bernard L. Barker, Eugenio Martinez, Frank A. Sturgis and Virgilio Gonzalez who are subjects in the captioned matter and a copy of our reply dated August 23, 1973.

Schultz in his letter requests that the files of this Bureau be searched for documentation, if it exists, of the past activities of his clients.



With reference to data sought by Schultz, FBI Headquarters files contain following:

FRANK A. STURGIS

Sturgis was involved in pro-Castro activities in the United States in 1958. After Castro's takeover of the Cuban Government in January, 1959, he accepted positions in the Castro regime. In June, 1959, he defected from the Castro regime; has since been periodically involved in militant and illegal anti-Castro activities in the United States; and is considered a soldier of fortune.

On September 31, 1959, Sturgis appeared at FBI Headquarters and advised he was a Captain in the Cuban Rebel Army. He stated he was on a confidential mission for the head of the Cuban Air Force who was concerned with the growing menace of communism in the Cuban Government.

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Director Sec'y _____

VHN:emj
(10)

SEP 7 1973

SEE NOTE PAGE THREE

MAIL ROOM ☐

TELETYPE UNIT ☐

ORIGINAL FILED IN 139-4089-258

Mr. Archibald Cox
Special Prosecutor

He furnished information concerning members and leaders of the Cuban Government alleged to be communists or communist sympathizers and plans for potential revolutions in Caribbean countries. He requested aid in fighting communism in Cuba and offered his services as an "agent" for the United States Government in fighting communist infiltration of the Cuban Government. Due to the unofficial nature of the approach (it was unknown to Castro) and the unstable Cuban situation, no commitment was made to Sturgis for future cooperation. The pertinent data furnished by him was disseminated to the interested agencies on April 7, 1949.

BERNARD L. BARKER

Our Legal Attache in Havana, Cuba, had occasional contacts with Barker during the period October 26, 1948, to October 5, 1949, when Barker was connected with the Cuban National Police. Barker furnished assistance on some matters of minor importance but was never under FBI control.

Our files indicate that the Central Intelligence Agency may have information in its files relating to the Cuban activities of Barker.

No information pertinent to Schultz' request was located in our files with respect to Eugenio Martinez and Virgilio Gonzalez.

This is for your information. The Attorney General is being separately advised.

Enclosures - 2

Mr. Archibald Cox
Special Prosecutor

NOTE:

See memorandum F. S. Putman to Mr. E. S. Miller,
dated 8/22/73, captioned "James Walter Mc Cord, Jr., And
Others, Interception of Communications," prepared by
VHN:emj.

UNITED STATES GOVERNMENT

DATE 01-26-2010 BY 60322 UC LP/PLJ/LCW

Memorandum

TO : Mr. E. S. Miller

FROM : F. S. Putman

SUBJECT: JAMES WALTER MC CORD, JR., AND OTHERS
INTERCEPTION OF COMMUNICATIONS

1 - Mr. E. S. Miller
1 - Mr. R. E. Gebhardt
1 - Mr. J. A. Mintz

DATE: 8/22/73

1 - Mr. F. S. Putman

(Attention: [redacted])

1 - Mr. V. H. Nasca

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Director Sec'y _____

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b7C

Memorandum concerns letter from Attorneys representing Bernard L. Barker, Eugenio Martinez, Frank A. Sturgis and Virgilio Gonzalez who are subjects in captioned matter requesting information from our files and our proposed reply. Letters to Attorneys, to The Attorney General and to Special Prosecutor Archibald Cox attached.

By letter 8/13/73, Daniel E. Schultz, Schultz and Overby, Washington, D. C., advised they were representing the above individuals who are involved in the Watergate case and who are awaiting final sentencing before Judge John J. Sirica. It was understanding of Attorneys that their clients participated in Cuban underground against Fidel Castro and that either directly or indirectly through various contacts in the underground, information was made available to the U. S. Government through FBI concerning events in Cuba and plans of Castro regime to cause revolutionary upheavals and/or communist infiltration of other Latin American governments. Attorneys believe that FBI documentation of such roles, if it exists, of their clients would be factor Judge Sirica would take into consideration in determining sentences he would impose.

Attorneys requested FBI records at Headquarters and Miami Office be reviewed to determine whether they confirm their clients participation in Cuban underground, their cooperation with FBI and/or indicate they were the source of information helpful to the U. S. Government at that time. If affirmative, the Attorneys requested that the results of the review be furnished Judge Sirica and to them.

With reference to ~~Special Request~~, we feel that he should be advised that the files of the FBI are restricted from public inspection and that his request, therefore must be declined. The proposed reply has been coordinated with Inspector John A. Mintz, Office of Legal Counsel.

139-4089

Enclosures - 3 -

VHN:emj

(6)

CONTINUED - OVER

53 AUG 30 1973

ORIGINAL FILED IN REC-6 139-4089-2590

Memorandum F. S. Putman to Mr. E. S. Miller
Re: James Walter Mc Cord, Jr., And Others
Interception of Communications
139-4089

With reference to data sought by Schultz, FBI Headquarters files contain following:

FRANK A. STURGIS

Sturgis was involved in pro-Castro activities in the U. S. in 1958. After Castro's takeover of the Cuban Government in January, 1959, he accepted positions in the Castro regime. In June, 1959, he defected from the Castro regime; has since been periodically involved in militant and illegal anti-Castro activities in the U. S.; and is considered a soldier of fortune.

On March 31, 1959, Sturgis appeared at FBI Headquarters and advised he was a Captain in the Cuban Rebel Army. He stated he was on a confidential mission for the head of the Cuban Air Force who was concerned with the growing menace of communism in the Cuban Government. He furnished information concerning members and leaders of the Cuban Government alleged to be communists or communist sympathizers and plans for potential revolutions in Caribbean countries. He requested aid in fighting communism in Cuba and offered his services as an "agent" for the U.S. Government in fighting communist infiltration of the Cuban Government. Due to the unofficial nature of the approach (it was unknown to Castro) and the unstable Cuban situation, no commitment was made to Sturgis for future cooperation. The pertinent data furnished by him was disseminated to the interested agencies on 4/7/59.

BERNARD L. BARKER

Our Legal Attache in Havana, Cuba, had occasional contacts with Barker during the period 10/26/48 to 10/5/49 when Barker was connected with the Cuban National Police. Barker furnished assistance on some matters of minor importance but was never under FBI control.

Memorandum F. S. Putman to Mr. E. S. Miller
Re: James Walter Mc Cord, Jr., And Others
Interception of Communications
139-4089

Referral/Consult

EUGENIO MARTINEZ AND VIRGILIO GONZALEZ

No information pertinent to Schultz' request was located.

RECOMMENDATIONS:

1. That the attached letter be sent to Daniel E. Schultz, Schultz and Overby, Washington, D. C., dated 8/23/73 in line with the above.

2. That the attached letter be sent The Attorney General with copies to The Deputy Attorney General and Assistant Attorney General, Criminal Division, enclosing copies of Schultz' letter, our reply and summary of pertinent data set forth above.

3. That the attached letter be sent to Special Prosecutor Archibald Cox dated 8/23/73 enclosing copies of Schultz' letter, our reply and summary of pertinent data set forth above.